

DT20 Rev'd PCT/PTO 16 APR 2003

PATENT

Docket No. 110.00810101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: LYNGBERG et al. )  
 Serial No.: 09/647,475 )  
 Confirmation No.: 7111 )  
 Filed: August 20, 2001 )  
 For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS )

Group Art Unit: 1641  
 Examiner: Changhwa J. Cheu

**FACSIMILE TRANSMISSION TO THE PTO**

Assistant Commissioner for Patents  
 Washington, D.C. 20231

FAX NUMBER: (703) 746-9195  
 Total Pages (including cover page): 5  
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The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Request for Corrected Filing Receipt (2 pgs.); copy of Filing Receipt with requested changes marked (2 pgs.).

☒ **Small Entity Status is entitled to be asserted in the above-identified application.**

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.  
 Customer Number: 26813



26813

PATENT TRADEMARK OFFICE

By: Ann M. Mueting  
 Attorney: Ann M. Mueting  
 Reg. No.: 33,977  
 Direct Dial: (612)305-1217

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April 16, 2003  
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**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 16<sup>th</sup> day of April, 2003, at 2:35 p.m. (Central Time).

April 16, 2003  
 Date

Signature: Sue Dombroske

Name: Sue Dombroske

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).

PATENT  
Docket No. 110.0081 0101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	LYNGBERG et al.	)	Group Art Unit:	1641
		)		
Serial No.:	09/647,475	)	Examiner:	Changhwa J. Cheu
Confirmation No.:	7111	)		
Filed:	August 20, 2001	)		
		)		
For:	COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS			

**REQUEST FOR CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Upon review of the Updated Filing Receipt received from the U.S. Patent and Trademark Office in connection with the above-identified application, the following errors were noted.

**Under Applicant(s):**

The residence of the second named Applicant, Michael C. Flickinger, should be "Roseville, MN", not "St. Antony Park, MN".

The third named Applicant should be "L. Edward Scriven II", not "L. Edward Soriven II".

**Under Domestic Priority data as claimed by applicant:**

The following should be added:

"which claims benefit of 60/100,914 09/17/1998".

This is a 371 National Stage application of PCT US 99/21581, filed September 17, 1999, which claims benefit of Provisional Application No. 60/100,914, filed September 17, 1998.

**Request for Corrected Filing Receipt**

Applicant(s): LYNGBERG et al.

Serial No.: 09/647,475

Confirmation No.: 7111

Filed: August 20, 2001

For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS

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Both of the above applications were filed prior to November 29, 2000. Therefore, it is Applicants' Representatives understanding that the current Patent Rules, which require that an amendment to priority claims to prior-filed applications be submitted within a specified time period, do not apply.

The claim of priority to Provisional Application No. 60/100,914 was stated in Box VI of the PCT Request Form PCT RO/101 which was filed with this 371 National Stage application. This claim of priority was also made in the Declaration of the inventors filed August 20, 2001. The specification was amended to include this priority information on August 20, 2002.

A copy of the Filing Receipt with the-above noted corrections marked is enclosed. Applicants respectfully request a corrected Filing Receipt.

If the Examiner has any questions regarding this submission, please contact Applicants' Representative at the below-listed telephone number.

Respectfully submitted for

LYNGBERG et al.

By  
Mueting, Raasch & Gebhardt, P.A.  
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Customer Number 26813



26813

PATENT TRADEMARK OFFICE

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

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By: Sue Dombroske

Date

April 16, 2003

AMM/skd

By:

Attorney: Ann M. Mueting

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOY CLAIMS	IND CLAIMS
09/647,475	08/20/2001	1641	824	110.00810101	18	49	5

Commissioner for Patents  
Washington, DC 20231  
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26813  
MUETING, RAASCH & GEBHARDT, P.A.  
P.O. BOX 581415  
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CONFIRMATION NO. 7111

FILING RECEIPT

\*OC00000009491750\*

Date Mailed: 02/07/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Olav K. Lyngberg, Princeton Junction, NJ;  
Michael C. Flickinger, ~~St. Antony Park~~ *Roseville* MN;  
L. Edward ~~Scriven~~ II, Minneapolis, MN;  
*Scriven* Ron Anderson, Apple Valley, MN;

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US99/21581 09/17/1999  
which claims benefit of 69/100,914 09/17/1998

Foreign Applications

If Required, Foreign Filing License Granted: 02/06/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Composite devices incorporating biological material and methods

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FEB 18 2003

MUEHLER & ASSOCIATES

Preliminary Class  
435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PATENT  
Docket No. 110.00810101**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: LYNGBERG et al. )  
Serial No.: 09/647,475 )  
Confirmation No.: 7111 )  
Filed: August 20, 2001 )  
For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND  
METHODS )

Group Art Unit: 1641  
Examiner: Changhwa J. Cheu

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement mailed March 24, 2003, Applicants elect, with traverse, Group I (claims 1-24 and 48), drawn to a composite biological device, comprising the "special technical feature" of at least a portion of the biostructure comprising a nonporous latex-derived material. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

Applicants' respectfully request at least rejoinder of Group III (claims 27-30). These claims are directed to methods of making a composite biological device wherein at least one of the latices forms a nonporous component of the microstructure.

## Response to Restriction Requirement

Applicant(s): LYNGBERG et al.

Serial No.: 09/647,475

Confirmation No.: 7111

Filed: August 20, 2001

For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS

Page 2 of 2

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

## CERTIFICATE UNDER 37 C.F.R. 1.8:

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By: Sue DambroskeDate: April 16, 2003

AMM/skd

Respectfully submitted for

LYNGBERG et al.

By

Muetting, Raasch &amp; Gebhardt, P.A.

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PATENT TRADEMARK OFFICE

By: Ann M. Muetting

Attorney: Ann M. Muetting

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PATENT  
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Applicants: LYNGBERG et al.

Group Art Unit: 1641

Serial No.: 09/647,475

Examiner: Changhwa J. Cheu

Confirmation No.: 7111

Filed: August 20, 2001

**OFFICIAL**For: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND  
METHODS**FAX RECEIVED**

APR 17 2003

**GROUP 1600**FACSIMILE TRANSMISSION TO THE PTOAssistant Commissioner for Patents  
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months to enter these papers and please charge any additional fees or credit overpayment  
to Deposit Account No. 13-4895.Mueeting, Raasch & Gebhardt, P.A.  
Customer Number: 26813

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PATENT TRADEMARK OFFICE

April 15, 2003  
DateBy: Ann M. Mueeting  
Attorney: Ann M. Mueeting  
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Direct Dial: (612)305-1217**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Facsimile Cover Sheet and the  
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16th day of April, 2003, at 8:35 a.m. (Central Time).April 16, 2003  
DateSignature: Sue DombroskeName: Sue Dombroske

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